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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON DECEMBER 2, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 1:32 p.m.
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

PRESENT

Commission: Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Greg R. White, Commissioner

Staff: Alissa Day
Judy Palnau
Mary Jo Kunkle
Catherine Bowers
Lisa Felice

Public: R. J. Aaron, WNJ
Suzy Denison, MEGA
Ron Bloomberg, Miller Canfield
Ronan Patterson, WEPCO
Harvey J. Messing, Miller Canfield
Marilyn Oliver, DTE Energy
Lisa Delacy, Consumers Energy
Beverly Roberts, Consumers Energy
Kwafo Adarkwa, ITC Holdings
Jerry Crandall, MIRS
Jim Padgett, DTE Energy

- I. Chairman Isiogu announced an amendment to the published agenda, Section III B, Item #11, Case No. U-16384, was deleted, Commissioner Martinez moved to approve the amended agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The amended agenda was approved.

- II. Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of November 4, 2010 and of the Special Commission Meeting of November 19, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minutes were approved.

III. ORDERS

A. COMMUNICATIONS

1. U-13378 AT&T MICHIGAN AND COMCAST PHONE OF MICHIGAN, LLC
U-14034 AT&T MICHIGAN AND EASTON TELECOM SERVICES, L.L.C.
U-15547 AT&T MICHIGAN AND TC3 TELECOM, INC.
U-16497 TC3 TELECOM, INC. AND SAND CREEK TELEPHONE COMPANY
(interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which requests Commission approval of interconnection agreements or amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

2. U-16226 BLC MANAGEMENT LLC d/b/a ANGLES COMMUNICATION SOLUTIONS
(application withdrawal)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves a request to withdraw an application for designation as an eligible telecommunications carrier. The order before you dismisses the application without prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16396 CITY OF SOUTH HAVEN PSAP v VAN BUREN COUNTY
CONSOLIDATED DISPATCH CENTER

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves the complaint of the City of South Haven PSAP against Van Buren County and Van Buren County Consolidated Dispatch Center. The order before you dismisses the complaint without prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16452 MARK RIEDY STATE FARM v SPRINT/TNCI

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves the complaint of Mark Riedy State Farm against Sprint/TNCI. The order before you dismisses the complaint, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

5. U-16491 BULLSEYE TELECOM, INC.
(license amendment)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which is an application for authority to temporarily expand the geographic service area of a license to provide basic local exchange service. The order before you grants the temporary license expansion, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

B. ELECTRIC

1. MINUTE ACTION MIDWEST INDEPENDENT TRANSMISSION SYSTEM OPERATOR,
INC. (intervention)

Commissioner Martinez moved that the Commission adopt and issue minute dated December 2, 2010 confirming that the Department of the Attorney General intervened on behalf of the Michigan Public Service Commission before the Federal Energy Regulatory Commission in Docket Number ER10-1791-000, an application by the Midwest Independent Transmission System Operator, Inc. to revise its Open Access Transmission and Energy and Operating Reserve Markets Tariff to establish a new category of transmission projects and a corresponding cost allocation methodology for such projects, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

2. MINUTE EXECUTIVE ORDER 2005-1
ACTION (additional administrative law judges)

Commissioner Martinez moved that the Commission adopt and issue minute dated December 2, 2010 directing the Commission's Executive Secretary to advise Peter Plummer, the Executive Director and Chief Administrative Law Judge of the State Office of Administrative Hearings & Rules, to add the names of Administrative Law Judges Richard Patterson, Theresa Sheets, and Dennis Mack to the list of hearing officers approved by the Commission to perform administrative hearing functions for the Commission as provided for Paragraph "G" of Executive Order 2005-1, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

3. U-14851 CLOVERLAND ELECTRIC COOPERATIVE
(waiver extension request)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by Cloverland Electric Cooperative for an extension of a waiver of R 460.113(1) of the residential billing rules. The order before you grants the requested waiver for one year, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

4. U-14851 THE DETROIT EDISON COMPANY AND MICHIGAN
CONSOLIDATED GAS COMPANY
(waiver request)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by The Detroit Edison Company and Michigan Consolidated Gas Company for a waiver of R 460.117(1) of the residential billing rules. The order before you grants the requested waiver for one year, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

5. U-15676-R INDIANA MICHIGAN POWER COMPANY
(’09 PSCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves the application of Indiana Michigan Power Company for approval of its power supply cost recovery reconciliation for the 12-month period ended December 31, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

6. U-15805 CONSUMERS ENERGY COMPANY
(renewable energy contract)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by Consumers Energy Company for *ex parte* approval of three Engineering, Procurement and Construction contracts between the company and Vestas-American Wind Technology, Inc.; White Construction, Inc.; and GE-Prolec Transformers, Inc. The order before you grants this request, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

7. U-16020 THE DETROIT EDISON COMPANY, ET AL
(investigation)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application filed and or supported by The Detroit Edison Company, Indiana Michigan Power Company, the Michigan Electric and Gas Association, and Consumers Energy Company seeking an investigation into appropriate rules and regulations for the direct participation of Michigan retail customers in regional transmission organization wholesale markets. The order before you requires each Michigan electric utility with distribution exceeding 4 million megawatt-hours in the previous fiscal year to file a contested case proceeding to determine the effects of participation of demand response of retail customers in organized wholesale power markets within 120 days from the issuance of the orders from the Federal Energy Regulatory Commission regarding integration of aggregators of retail customers in the Midwest ISO market and PJM ISO market, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

8. U-16260 SYLVESTER A. SMITH v THE DETROIT EDISON COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves a complaint filed by Sylvester A. Smith against Michigan Consolidated Gas Company

and DTE Energy Company. The order before you dismisses the complaint without prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

9. U-16287 THE DETROIT EDISON COMPANY
(waiver request)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 in which The Detroit Edison Company seeks approval of a temporary waiver of components of R 460.3613. The order before you approves the temporary waiver subject to the stated conditions, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

10. U-16366 WISCONSIN ELECTRIC POWER COMPANY
(asset sale)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which is an application filed by Wisconsin Electric Power Company for approval of an agreement to transfer its 25% interest in a generating unit known as Edgewater 5. The order before you approves the agreement providing the utility agrees to certain conditions, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

11. U-16412 CONSUMERS ENERGY COMPANY
(energy optimization plan)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by Consumers Energy Company for approval of an amended energy optimization plan to comply with the requirements of Public Act 295

of 2008. The order before you approves the amended energy optimization plan, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

12. U-16457 THE DETROIT EDISON COMPANY
(waiver request)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by The Detroit Edison Company for waivers of the monthly billing, payment, and shutoff provisions in the Commission's billing rules for customers participating in its SmartCurrents program. The order before you grants the requested waivers subject to certain conditions, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

13. U-16495 DETROIT THERMAL, LLC
(steam sales agreements)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which is an application filed by Detroit Thermal, LLC, for *ex parte* approval of two steam purchase agreements. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

14. U-16496 INDIANA MICHIGAN POWER COMPANY
(tariff revision)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an application by Indiana Michigan Power Company for approval of its revised residential off-peak energy storage tariff. The order before you approves the tariff, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

C. GAS

1. U-16388 CONTINENTAL RESOURCES, INC.
(show cause)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 which involves an order to show cause. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

D. MOTOR CARRIER

1. MINUTE MOTOR CARRIER ADVISORY BOARD
ACTION (2011 appointments)

Commissioner Martinez moved that the Commission adopt and issue minute dated December 2, 2010 appointing the following persons to the Motor Carrier Advisory Board for a 12-month term ending December 31, 2011:

Don Beerens, Lansing
Mickey Blashfield, Warren
Carl Brune, Carson City
Al DeMeester, Ludington

Don Lahring, Waterford
Gregory Gorno, Brownstown
Michael Haller, Detroit
William Kotynski, Ann Arbor
Glen Merkel, Corunna
Donald Messing, Fenton
Brian Hitchcock, Webberville
George Thompson, Romulus
Douglas G. Ostrowski, Melvindale
Vincent Held, Sr., Alma
Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

PRESS RELEASE ISSUED

2. T-1861 MICHIGAN MOVERS ASSOCIATION
(rate request)

Commissioner Martinez moved that the Commission adopt and issue order dated December 2, 2010 suspending the effective date of the proposed rate increase requested by the Michigan Movers Association from December 23, 2010 to February 21, 2011, and scheduling a prehearing conference for December 13, 2010, as set forth in the order, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

IV. PUBLIC COMMENTS

There were no public comments.

Commissioner Martinez announced that on Monday, December 6, 2010, the Commission will be hosting a natural gas seminar from 1:30 p.m. to 4:00 p.m. at the Commission's Lansing offices.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on December 21, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The motion was approved.

The meeting adjourned at 1:48 p.m.

Mary Jo Kunkle
Executive Secretary